

SENATE BILL No. 162

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-7-4-311.

Synopsis: Local planning departments. Requires the county commissioners (rather than the area plan commission) to appoint the executive director of the planning department in a county that does not contain a second class city.

Effective: July 1, 2005.

Jackman

January 4, 2005, read first time and referred to Committee on Governmental Affairs and Interstate Cooperation.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

SENATE BILL No. 162

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 36-7-4-311 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 311. (a) ADVISORY.
3 The advisory plan commission may appoint, prescribe the duties, and
4 fix the compensation of such employees as are necessary for the
5 discharge of the duties of the commission. This compensation must be
6 in conformity with salaries and compensation fixed up to that time by
7 the fiscal body of the municipality or county, as the case may be. The
8 commission may contract for special or temporary services and any
9 professional counsel.
10 (b) AREA. **Except as provided in subsection (c)**, the area plan
11 commission shall appoint an executive director for the planning
12 department and fix the director's compensation. To be qualified for the
13 position, the executive director must have training and experience in
14 the field of planning and zoning. The commission may not give any
15 consideration to political affiliation in the appointment of the executive
16 director.
17 (c) AREA. **This subsection applies to a county that does not**

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1 contain a second class city. Whenever there is a vacancy in the
2 position of executive director of the planning department, the area
3 plan commission shall recommend an individual for the position to
4 the county commissioners. The county commissioners shall appoint
5 an executive director. The appointee is not required to be the
6 individual recommended by the area plan commission. The county
7 commissioners may remove the executive director. The county
8 commissioners shall fix the executive director's compensation. To
9 be qualified for the position, an individual must have training and
10 experience in the field of planning and zoning. In appointing the
11 executive director, the county commissioners may not give any
12 consideration to the political affiliation of an applicant.

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